



**Minutes for Meeting of
Thursday October 24, 2002**

Item-1: Call to Order. (Time: 5:38:38 p.m.)

Interim Vice-Chairperson Dorothy Smith called the meeting to order.

Item-2: Roll Call. (Time: 5:38:47 p.m.)

Present – Interim Vice-Chairperson Dorothy Smith, Vice-Chairperson Gaynor, Commissioners Lisa Foster, April Riel, and Greg Vega.

Staff - Executive Director Charles Walker, Deputy City Attorney Rick Duvernay, Legal Assistant Steve Ross, Investigator Stacey Fulhorst, Executive Secretary DonnaLee McCalla.

Excused – Chairperson Dorothy Leonard and Commissioner Charles La Bella.

Item-3: Reporting Results of Closed Session. (Time: 5:39:56 p.m.)

Deputy City Attorney Duvernay reported the results of the Closed Session:

Item 1 -- (2 potential matters)

The Commission voted 5-0 to approve initiation of a formal investigation on matter 1. (Excused: Leonard/La Bella)

The Commission voted 5-0 to approve dismissal on matter 2. (Excused: Leonard/La Bella)

Item 2 – (3 potential matters)

The Commission voted 5-0 to approve dismissal on all three matters.
(Excused: Leonard/La Bella)

Closed Session results on the matters that were heard after the Open Session on October 10, 2002:

Item 1

The Commission voted 5-0 to approve dismissal on three matters.
(Excused: Leonard/Gaynor)

Item 2

The Commission voted 5-0 to approve settlement with a stipulation that is public record and posted on the Ethics Commission website on one matter.
(Excused: Leonard/Gaynor)

Reporting of the Special Meeting/Closed Session of October 16, 2002:

The Commission voted 5-0 to approve dismissal on one matter.
(Excused: Leonard/Gaynor)

Item-4: Approval of Commission Minutes. (Time: 5:42:30 p.m.)

APPROVAL OF COMMISSION MINUTES OF THE MEETING OF OCTOBER 10, 2002.

Motion/Second: Vega/Riel

Vote: 5-0

Excused: Leonard/La Bella

Item-5: Non-Agenda Comment. (Time: 5:43:09 p.m.)

None.

Item-6: Commissioner Comment. (Time: 5:43:29 p.m.)

The Commission expressed their joy at Vice-Chairperson Gaynor's return from medical recovery.

Item-7: Executive Director Comment.

(Time: 5:43:56 p.m.)

Executive Director Charles Walker reported on the following:

1. A letter was written to the League of Women Voters in response to their inquiry concerning the policy regarding vendor credit in the Election Campaign Control Ordinance and the Bernhardt matter.
2. The training sessions with Council staffs are proceeding well. Conclusion of the training will take place at the end of November, and scheduling for the City's unclassified staff is currently taking place.
3. Mr. Walker attended the City Attorney Office's three-hour ethics training on October 14, 2002, presented by Michael Josephson of the Josephson Institute, and wanted to publicly thank City Attorney Casey Gwinn for raising the ethics issue with his staff, and DCA Duvernay for arranging the invitation.
4. The City of San Diego's Academy 2000 program has invited Mr. Walker to speak at all the Academy 2000 sessions scheduled for 2003.

Item-8: Deputy City Attorney Comment.

(Time: 5:47:47 p.m.)

None.

Item-9: Proposed Audit Manual.

(Time: 5:47:54 p.m.)

Public comment and discussion on the revised Proposed Audit Manual was presented.

Speaker Melvin Shapiro specified that he submitted his comments and asked that the Commission review his submittal, and that his comments be included in the record.

Commissioner Riel identified a change on page 5, under A. Campaign Audits.

DCA Duvernay clarified that this item is noticed for action, and that Chairperson Leonard (excused) anticipated action this meeting to provide lead time for the Mayor and City Council to review the document prior to the November 20, 2002, Rules Committee meeting.

MOTION TO APPROVE THE PROPOSED AUDIT MANUAL DISCUSSED ON OCTOBER 24, 2002, AND FORWARD TO THE RULES COMMITTEE.

Motion/Second: Vega/Riel

Vote: 5-0 to approve

Excused: Leonard/La Bella

Item-10: Ad-hoc ECCO Subcommittee.

(Time: 5:57:39 p.m.)

Commissioner Foster presented the ad-hoc ECCO Subcommittee report with discussion to follow:

The ad-hoc ECCO subcommittee discussed a process by which the Commission will amend the Election Campaign Control Ordinance [ECCO]. Ms. Foster emphasized that the discussions in the ad-hoc ECCO subcommittee are strictly procedural, and not a substantive discussion about how the Commission should amend ECCO.

Proposals are as follows:

1. At the November 7, 2002 Commission meeting, devote the vast majority of the meeting to a discussion of ECCO as it currently stands, and highlight areas of issue.
2. Schedule a meeting prior to year-end inviting Bob Stern, Center for Governmental Studies, the leading expert in the state on campaign finance reform and campaign finance, to provide an overview on how other cities have begun to address this issue.
3. Changing the Commission's regularly scheduled meeting on Thursday, December 12, 2002, to Wednesday, December 11, 2002.
4. Schedule a Saturday in January to conduct an all-day public hearing, widely publicize the Commission's intent to reform ECCO, and allot speakers additional time to present their proposals for reform.
5. Allow the public to schedule time in advance to present their testimony.
6. The Commission secretary to obtain schedules to coordinate a Saturday in January for a public hearing.
7. Schedule time at subsequent Commission meetings to conduct a substantive debate and discussion.
8. A draft revision to be available around mid- to late February.

9. Send notice to individuals who have run for office in the last two election cycles to widely disseminate the information.

Item-11: Adjournment.

(Time: 6:09:10 p.m.)

Interim Vice-Chairperson Dorothy Smith adjourned the meeting.

Dorothy Smith, Interim Vice-Chair
Ethics Commission

DonnaLee McCalla, Executive Secretary
Ethics Commission

***THIS INFORMATION WILL BE MADE AVAILABLE IN ALTERNATIVE FORMATS
UPON REQUEST.***